


August 27, 2003

TO: Ray Graham, Supervisor Cedar Run District

FROM: Ronald and Milton Harding 

RE: Family Transfer Hardship

Mr. Graham we are requesting that the family transfer made to my father be vacated, and that we be allowed to convey the land, not the lot to the owners of the adjacent parcel. This requires the approval of the Board as per our conversation on August 12, 2003 due to a transfer occurring within a ten year period. ~~You may recall the lot in question is located on Old Devils Turnpike, 2.0 acres, Tax Map PIN 7921-70-5067, and was originally part of a 45 acre parcel which has transferred to a new owner during 2003.~~

Our problem/hardship exist with accessing the property from a 20' ingress/egress easement that was required when the lot was approved, due to a constraint that "no access be granted from 300' of the western most boundary of the property" and is noted on the recorded plat, so the normal 135' of frontage could not be granted. The issue being that the access road has been flooded numerous times and continues to erode whenever there is significant rainfall.

The erosion is further impacted by the runoff from the spillway of the adjacent pond when storm water runoff occurs. We had thought the access would be feasible, but have since determined it will not be financially prudent to attempt to complete and/or maintain the road. Our hardship is further impacted in that a steep slope requiring 12' of cut and fill located in the same 20' easement can not be completed because the fill area will cover the newly erected fence and several feet of land on the adjacent property. We initially requested the lot be vacated but were informed your assistance would be required, since the original parcel of which this lot was a part has been sold.

If allowed the owners of the adjacent parcel have agreed to buy the land for a minimal amount, not as a lot, but as 2.0 acres of land, and then complete a boundary line adjustment to include the 2 acres of land into their existing 43 acre parcel. This is being requested so that we may proceed with a transfer on another parcel that will allow for suitable access and building site for my father. The concerns being that only one transfer can be made to a family member, but by vacating the lot, as if it was never created will allow us to proceed. You and Kevin were most helpful in this matter, and we appreciate the consideration given to our request.

*Pin #*